

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOANN WILSON, As Administrator)	
of the Estate of MICHAEL SMITH,)	
)	
Plaintiff,)	No. 12 C 10394
)	
vs.)	Judge Dow
)	Magistrate Judge Mason
CITY OF CHICAGO, et al.,)	
)	
)	
)	
Defendants.)	

PLAINTIFF’S MOTION TO DISMISS

Plaintiff, through counsel, respectfully moves this Honorable Court to dismiss this cause with prejudice with each party bearing its own attorney’s fees and costs, and in support thereof states as follows:

1. Undersigned counsel (“counsel”) for Plaintiff has discussed the relative merits of this case with Plaintiff and other family members throughout the discovery phase.

2. On July 10, 2015, Plaintiff advised counsel that she no longer wanted to proceed with the case.

3. Counsel memorialized this conversation and Plaintiff’s instructions in a letter mailed to Plaintiff via certified mail on July 16, 2015.

2. Counsel has discussed this motion with Dana Pesha, one of the attorneys for Defendants. She has advised counsel that Defendants agree that each party would bear its own attorney’s fees and costs.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court dismiss this cause with prejudice with each party bearing its own attorney’s fees and costs.

Respectfully submitted,

/s/ Daniel P. Kiss

Counsel for the Plaintiff

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